

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT DIVISION

RESPONSE/AMENDMENT

Applicants: Gary W. Little & Janet D. Little ) April 22, 2005  
Appl. No.: 10/828,689 ) Attorney Docket No. RAR531.02  
Filing Date: 04/21/2004 ) Group Art Unit 1661  
Title: Peach Tree Named "Janet" ) Examiner: Hwu, June

HONORABLE COMMISSIONER FOR PATENTS:

In response to the communication from the Examiner dated October 22, 2004, the applicant respectfully requests that the following amendments be entered pursuant to the provisions of 37 C.F.R. §§ 1.111 and 1.115, and reconsideration of the amended application be considered in light of the following:

1. The Examiner's Office Action dated October 22, 2004, provided for a three (3) month shortened statutory period, which expired January 22, 2005. This response/amendment is being filed on April 22, 2005, which is believed to be within the three month extension period in which to file a response/amendment. As a result, a three month extension fee of \$510.00 is included herewith for the three month extension of time for a small entity. If an additional extension of time is required, please consider this a petition therefor.

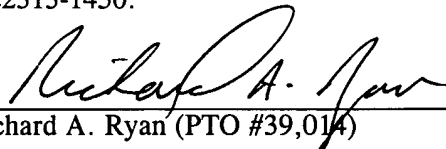
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I hereby certify that the papers and/or fees identified in this letter are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Richard A. Ryan (PTO #39,014)

1           2. The following materials are enclosed herewith to comply with the Revised  
2 Amendment Practice set forth in 37 CFR § 1.121:

3           a. Amendments to the Specification are reflected in the amended portions of the  
4 Specification beginning on page 3 of this Response/Amendment.

5           b. Remarks/arguments begin on page 7 of this Response/Amendment.

6           3. Kindly substitute the enclosed substitute specification for that originally filed in this  
7 case. The substitute specification, which is voluntarily submitted pursuant to the provisions of 37  
8 C.F.R. Section 1.125 and MPEP Section 608.01(q), includes: (1) a copy of the specification as  
9 originally filed in this case showing the hand-written corrections to the specification; and (2) a  
10 declaration which indicates that the substitute specification transmitted herewith contains no new  
11 matter.

12           4. Enclosed herewith is a Change of Correspondence Address form for the attorney  
13 of record, signed by the attorney.